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7590

08/10/2009

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

HOLLIDAY, JAIME MICHELLE

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 08/10/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,685	03/16/2004	Hirofumi Hayaashi	250412US6	1638

TITLE OF INVENTION: COMMUNICATION SYSTEM, SETTLEMENT MANAGEMENT APPARATUS AND METHOD, PORTABLE INFORMATION TERMINAL AND INFORMATION PROCESSING METHOD, AND PROGRAM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/10/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

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Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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22850 7590 08/10/2009

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
 1940 DUKE STREET
 ALEXANDRIA, VA 22314

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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/800,685 03/16/2004 Hirofumi Hayaashi 250412US6 1638

TITLE OF INVENTION: COMMUNICATION SYSTEM, SETTLEMENT MANAGEMENT APPARATUS AND METHOD, PORTABLE INFORMATION TERMINAL AND INFORMATION PROCESSING METHOD, AND PROGRAM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/10/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
HOLLIDAY, JAIME MICHELE	2617	455-556100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,685	03/16/2004	Hirofumi Hayaashi	250412US6	1638
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			HOLLIDAY, JAIME MICHELLE	
			ART UNIT	PAPER NUMBER

2617

DATE MAILED: 08/10/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 34 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 34 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/800,685

Examiner

JAIME M. HOLLIDAY

Applicant(s)

HAYAASHI ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed April 1, 2009.
2. ☒ The allowed claim(s) is/are 1 and 3-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Response to Arguments

1. Applicant's arguments, see REMARKS, filed April 1, 2009, with respect to claims 1 and 3-11 have been fully considered and are persuasive. The U.S.C. 103 (a) rejection of claims 1 and 3-11 has been withdrawn.

Allowable Subject Matter

2. **Claims 1 and 3-11** are allowed, and are renumbered claims 1-10, respectively.
3. The following is an examiner's statement of reasons for allowance:

Consider **claim 1**, the most relevant prior art of record, Matsumoto et al. (US 2002/0066042 A1), Suzuki (US 6,612,488 B2) and Hymel (U.S. 6,216,015 B1), in view of Herzog von Wuerttemberg et al. (US 2002/0010650 A1), and in further view of Howard et al. (US 2003/0212465 A1), fails to specifically disclose wirelessly inputting identification information from the IC chip of a credit card, wherein the information does not include the credit card number.

Matsumoto et al. clearly show and disclose a card settlement method using a mobile information terminal provided with an IC card read/write function and a short distance wireless communication function and a settlement terminal on a business establishment side provided with a short distance wireless communication function (*communication system including a settlement management apparatus and a portable information terminal*), comprising a step of having a customer using a business

establishment wirelessly connect the mobile information terminal with a settlement terminal on the business establishment side, a step of having the customer load his or her IC card in the mobile information terminal and send the information stored in this IC card and personal identification information input from the customer and proving legitimacy of the customer to the settlement terminal, a step of sending the authentication information and personal identification information stored in the IC card and proving the legitimacy of the card to an authorization server from the settlement terminal through a settlement network, a step of having the authorization server decide on a legitimacy of the IC card and a legitimacy of the customer based on the authentication information and the personal identification information, a step of having the customer wirelessly inputting information containing at least a card number stored in the IC card and transaction information input by the customer to the settlement terminal on the business establishment side after the IC card and the customer are authenticated, a step of having the settlement terminal decide a validity of the current transaction, a step of sending the current transaction information together with business establishment information for specifying the business establishment from the settlement terminal through the settlement network to the settlement server after the confirmation of the validity, and a step of having the settlement server carry out the settlement

(settlement management apparatus comprising judging means for judging whether identification information obtained from a contactless IC chip assigned to a user of said portable information terminal and used for predetermined settlement is valid, for using credit services which the user uses; a storage controller for storing, if said judging

means decides that the identification information is valid, the identification information in said portable information terminal, wherein said portable information terminal comprises: a wireless reader for reading the identification information from the IC chip provided in a credit card issued from an issuer providing the credit services through wireless communication, said wireless reader including a wireless communication means for wireless acquisition of the identification information directly from the IC chip; transmitting means for transmitting the identification information read by said reader to said settlement management apparatus; storage means for storing the identification information including a card ID corresponding to the IC chip) (fig. 3, paragraph 14).

Suzuki clearly shows and discloses a system and terminals for credit card and debit card transactions (*communication system including a settlement management apparatus and a portable information terminal*) (col. 3 lines 26-27). A card transaction terminal (*settlement management apparatus*) in a credit/debit card member store, stores information for recognizing a credit card user in a database capable of being accessed by a host computer to which said card transaction terminal is connectable (*storage controller configured to store identification information*) (col. 3 lines 32-35); includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, (col. 5 lines 7-14), wherein the second communication component allows the card transaction terminal to control the portable terminal device storing information. When cellular phone is used only as an input device for user validation, without credit card information stored

in the cellular phone, the card information can be transferred to transaction terminal by reading the credit card with the card reader in the card transaction terminal at the member store. Next, transaction terminal transfers the card number information and purchase amount information to the transaction authorization computer, and requests credit administration. When credit administration is successful, transaction processor 420 reports the successful credit administration, and, at the same, time issues a transaction authorization number, which is a credit administration result recognition number also used in payment processing on the bill. The credit administration results and transaction authorization number are transmitted to main controller of transaction terminal. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored (*storage controller configured to store, if said judging means decides that the identification information is valid, the identification information in said portable information terminal, storing means for transmitting the identification information read by said reader to said settlement management apparatus and storing the identification information including a card ID corresponding to the IC chip based on an instruction issued by said settlement management apparatus if it is confirmed that the identification information is valid*) (col. 9 line 24- col. 10 line 64).

Hymel clearly show and disclose a wireless subscriber unit **30** includes a memory manager **46** capable of communicating with a plurality of smart cards

(abstract). To perform the necessary functions of the wireless subscriber unit, the message processor **36** is coupled to a memory **38** including a random access memory (RAM), a read-only memory (ROM), and an electrically erasable programmable read-only memory (EEPROM). In a preferred embodiment, the memory **38** is partitioned into a plurality of memory segments **48**, each memory segment having an individual location in memory and an individual size (*said storage means including (a) memory means partitioned into a common area and a plurality of individually allotted areas and (b) a memory manager means for storing the card ID and an associated registered service information in the common area, wherein said plurality of allotted areas are configured to store information related to predetermined entities*) (col. 2 line 64- col. 3 line 5). The wireless subscriber unit includes an interface **42** for operatively connecting a smart card **44** to the wireless subscriber unit. The interface may, for example, comprise a structure for physically engaging external contacts on the smart card so that the smart card is directly connected to the wireless subscriber unit. It will be appreciated by one skilled in the art that the interface may also be a wireless connection such as an infrared or radio frequency interface (*wirelessly input identification information obtained from a contactless IC chip*) (col. 3 lines 24-33). Memory manager is programmed to connect the memory and a data stored on the smart card. Typical data sent from the smart card memory partition size for segmentation of the memory, and in applications such as electronic commerce and other financial application, the data may also include a decryption key for security purposes (*storage means for storing the identification information including a card ID based on a secured instruction, and said common area*

is configured to transition to a card area in response to the memory manager means receiving the secured instruction) (col. 3 line 40- col. 4 line 7).

Herzog von Wuertemberg et al. clearly show and disclose a chip card for use in a virtual purchasing system comprises a logic/memory. The chip comprises a user data memory **6**, and multiple container data memories **8**, one such memory location **8** being provided for each container partner (service provider) of the customer (*plurality of individually allotted areas are configured to store information related to predetermined entities including service provider provided information*) (abstract, paragraph 35). After the user has inserted his chip card in the chip card reader, the computer loads data from the user data memory **6** and the container data memory locations **8** on the chip card into the card data area **32** of the terminal. The linking logic checks whether the features defined by the container partner tally with the user data, wherein these features may including not only personal data of the customer such as age, sex, hobbies, etc. but also transaction data from previous purchasing actions of the customer in the system as held in the user data memory **6** (*said common area is configured to store information for applications utilizing the contactless IC chip*) (paragraph 40).

Howard et al. clearly show and disclose that a portable device (*portable information terminal*) can be utilized to automatically initiate the ordering of items via the Internet. The server **200** (*settlement management apparatus*) can be programmed into a mode of operation such that when a barcode is scanned by the portable device **10**, the server automatically forwards data representing the item scanned to the predefined website and places an order for the item to be purchased (*barcode reading means for*

reading said barcode associated with said address of an ordering site which has registered said merchandise with said management means). By utilizing the control system of the present invention, it is possible to preprogram the server such that upon entry of any bar code data representing a product, the server automatically places an order with a predetermined seller over the Internet to purchase the product represented by the bar code (*management means for managing registration information of a plurality of merchandise each of which has been registered via a merchandise registration procedure with said settlement management apparatus and each of which has a corresponding barcode generated by said management means, wherein said barcode is associated with an address of an ordering site which has registered said merchandise with said management means*) (paragraphs 89, 94).

Matsumoto et al., Suzuki, Hymel, Herzog von Wuerttemberg et al. and Howard et al., however, lack the claimed limitation “judging means for judging whether wirelessly input identification information, obtained from a contactless IC chip provided in a credit card having a credit card number and assigned to a user of said portable information terminal and used for predetermined settlement is valid for using credit services which the user uses, the identification information not including the credit card number,” therefore these limitations, in conjunction with other limitations recited in claim 1, are novel and unobvious in view of the combination of Matsumoto et al., Suzuki, Hymel, Herzog von Wuerttemberg et al. and Howard et al.

Consider **claim 3**, the most relevant prior art of record, Matsumoto et al. (US 2002/0066042 A1) and Suzuki (US 6,612,488 B2), in view of Hymel (U.S. 6,216,015

B1), and in further view of Howard et al. (US 2003/0212465 A1), fails to specifically disclose wirelessly inputting identification information from the IC chip of a credit card, wherein the information does not include the credit card number.

Matsumoto et al. clearly show and disclose a card settlement method using a mobile information terminal provided with an IC card read/write function and a short distance wireless communication function and a settlement terminal on a business establishment side provided with a short distance wireless communication function (communication system including a settlement management apparatus and a portable information terminal) comprising a step of having a customer using a business establishment wirelessly connect the mobile information terminal with a settlement terminal on the business establishment side, a step of having the customer load his or her IC card in the mobile information terminal and send the information stored in this IC card and personal identification information input from the customer and proving legitimacy of the customer to the settlement terminal, a step of sending the authentication information and personal identification information stored in the IC card and proving the legitimacy of the card to an authorization server from the settlement terminal through a settlement network, a step of having the authorization server decide on a legitimacy of the IC card and a legitimacy of the customer based on the authentication information and the personal identification information (*settlement apparatus configured to communicate with a portable information terminal including wireless communication means for wireless acquisition of identification information directly from a contactless IC chip including wireless communications comprising*

judging means for judging whether the identification information obtained from the wireless communications of the contactless IC chip, assigned to a user of said portable information terminal and used for predetermined settlement is valid, for using credit services which the user uses) (fig. 3, paragraph 14).

Suzuki clearly shows and discloses a system and terminals for credit card and debit card transactions (*communication system including a settlement management apparatus and a portable information terminal*) (col. 3 lines 26-27). A card transaction terminal (*settlement management apparatus*) in a credit/debit card member store, stores information for recognizing a credit card user in a database capable of being accessed by a host computer to which said card transaction terminal is connectable (*storage controller configured to store identification information*) (col. 3 lines 32-35); includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, (col. 5 lines 7-14), wherein the second communication component allows the card transaction terminal to control the portable terminal device storing information. When cellular phone is used only as an input device for user validation, without credit card information stored in the cellular phone, the card information can be transferred to transaction terminal by reading the credit card with the card reader in the card transaction terminal at the member store. Next, transaction terminal transfers the card number information and purchase amount information to the transaction authorization computer, and requests credit administration. When credit administration is successful, transaction processor

reports the successful credit administration, and, at the same, time issues a transaction authorization number, which is a credit administration result recognition number also used in payment processing on the bill. The credit administration results and transaction authorization number are transmitted to main controller of transaction terminal. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored (*storage configured to store the identification information including a card ID corresponding to the IC chip and an associated registered service in a common area of a memory of said portable information terminal if said judging means decides that the identification information is valid, wherein said common area is configured to store information other than service provider provided information*) (col. 9 line 24- col. 10 line 64).

Hymel clearly show and disclose a wireless subscriber unit **30** includes a memory manager **46** capable of communicating with a plurality of smart cards (abstract). To perform the necessary functions of the wireless subscriber unit, the message processor **36** is coupled to a memory **38** including a random access memory (RAM), a read-only memory (ROM), and an electrically erasable programmable read-only memory (EEPROM). In a preferred embodiment, the memory **38** is partitioned into a plurality of memory segments **48**, each memory segment having an individual location in memory and an individual size (*managing communications with individually allotted areas of the memory of the portable information terminal*) (col. 2 line64- col. 3 line5).

The wireless subscriber unit includes an interface **42** for operatively connecting a smart card **44** to the wireless subscriber unit. The interface may, for example, comprise a structure for physically engaging external contacts on the smart card so that the smart card is directly connected to the wireless subscriber unit. It will be appreciated by one skilled in the art that the interface may also be a wireless connection such as an infrared or radio frequency interface (*wirelessly input identification information obtained from a contactless IC chip*) (col. 3 lines 24-33). Typical data sent from the smart card memory partition size for segmentation of the memory, and in applications such as electronic commerce and other financial application, the data may also include a decryption key for security purposes (*a storage controller configured to transmit a secured instruction to the portable information terminal to store the information*) (col. 3 line 40- col. 4 line 7).

Howard et al. clearly show and disclose that a portable device (*portable information terminal*) can be utilized to automatically initiate the ordering of items via the Internet. The server **200** (*settlement management apparatus*) can be programmed into a mode of operation such that when a barcode is scanned by the portable device **10**, the server automatically forwards data representing the item scanned to the predefined website and places an order for the item to be purchased. By utilizing the control system of the present invention, it is possible to preprogram the server such that upon entry of any bar code data representing a product, the server automatically places an order with a predetermined seller over the Internet to purchase the product represented by the bar code (*management means for managing registration information of a plurality of merchandise each of which has been registered via a merchandise registration*

procedure with said settlement management apparatus and each of which has a corresponding barcode generated by said management means, wherein said barcode is associated with an address of an ordering site which has registered said merchandise with said management means) (paragraphs 89, 94).

Matsumoto et al., Suzuki, Hymel, and Howard et al., however, lack the claimed limitation "judging means for judging whether the wirelessly input identification information, obtained from the wireless communications of the contactless IC chip provided in a credit card having a credit card number and assigned to a user of a portable information terminal, and used for predetermined settlement, is valid for using credit services which the user uses; a storage controller configured to transmit a secured instruction to the portable information terminal to store the identification information including a card ID corresponding to the contactless IC chip and an associated registered service in a common area of a memory of said portable information terminal when said judging means decides that the identification information is valid, the identification information not including the credit card number," therefore these limitations, in conjunction with other limitations recited in claim 3, are novel and unobvious in view of the combination of Matsumoto et al., Suzuki, Hymel, and Howard et al.

Consider **claims 6 and 7**, the most relevant prior art of record, Matsumoto et al. (US 2002/0066042 A1), Suzuki (US 6,612,488 B2) and Hymel (U.S. 6,216,015 B1), in view of Herzog von Wuerttemberg et al. (US 2002/0010650 A1), and in further view of Howard et al. (US 2003/0212465 A1), fails to specifically disclose wirelessly inputting

identification information from the IC chip of a credit card, wherein the information does not include the credit card number.

Matsumoto et al. clearly show and disclose a card settlement method using a mobile information terminal provided with an IC card read/write function and a short distance wireless communication function and a settlement terminal on a business establishment side provided with a short distance wireless communication function (*settlement management method (computer readable carrier including computer program instructions that cause a computer to implement a method of settlement management)*) comprising a step of having a customer using a business establishment wirelessly connect the mobile information terminal with a settlement terminal on the business establishment side, a step of having the customer load his or her IC card in the mobile information terminal and send the information stored in this IC card and personal identification information input from the customer and proving legitimacy of the customer to the settlement terminal, a step of sending the authentication information and personal identification information stored in the IC card and proving the legitimacy of the card to an authorization server from the settlement terminal through a settlement network, a step of having the authorization server decide on a legitimacy of the IC card and a legitimacy of the customer based on the authentication information and the personal identification information (*wirelessly obtaining identification information from a contactless IC chip including a wireless communication device; judging whether the obtained identification information obtained from the contactless IC chip assigned to a*

user of a portable information terminal and used for predetermined settlement is valid, for using credit services which the user uses) (fig. 3, paragraph 14).

Suzuki clearly shows and discloses a system and terminals for credit card and debit card transactions, (col. 3 lines 26-27). A card transaction terminal in a credit/debit card member store, stores information for recognizing a credit card user in a database capable of being accessed by a host computer to which said card transaction terminal is connectable, (col. 3 lines 32-35); includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, (col. 5 lines 7-14), wherein the second communication component allows the card transaction terminal to control the portable terminal device storing information. When cellular phone is used only as an input device for user validation, without credit card information stored in the cellular phone, the card information can be transferred to transaction terminal by reading the credit card with the card reader in the card transaction terminal at the member store. Next, transaction terminal transfers the card number information and purchase amount information to the transaction authorization computer, and requests credit administration. When credit administration is successful, transaction processor reports the successful credit administration, and, at the same, time issues a transaction authorization number, which is a credit administration result recognition number also used in payment processing on the bill. The credit administration results and transaction authorization number are transmitted to main controller of transaction terminal. Afterward, when the user must

decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored *(storing, in response that the identification information is valid, the identification information including a card ID corresponding to the IC chip in a common area of in said portable information terminal if it is decided in said judging step that the identification information is valid)* (col. 9 line 24- col. 10 line 64).

Hymel clearly show and disclose a wireless subscriber unit **30** includes a memory manager **46** capable of communicating with a plurality of smart cards (abstract). To perform the necessary functions of the wireless subscriber unit, the message processor **36** is coupled to a memory **38** including a random access memory (RAM), a read-only memory (ROM), and an electrically erasable programmable read-only memory (EEPROM). In a preferred embodiment, the memory **38** is partitioned into a plurality of memory segments **48**, each memory segment having an individual location in memory and an individual size *(memory of said portable information terminal partitioned into common area and a plurality of individually allotted areas)* (col. 2 line64- col. 3 line5). The wireless subscriber unit includes an interface **42** for operatively connecting a smart card **44** to the wireless subscriber unit. The interface may, for example, comprise a structure for physically engaging external contacts on the smart card so that the smart card is directly connected to the wireless subscriber unit. It will be appreciated by one skilled in the art that the interface may also be a wireless connection such as an infrared or radio frequency interface *(wirelessly input*

identification information obtained from a contactless IC chip) (col. 3 lines 24-33).

Memory manager is programmed to connect the memory and a data stored on the smart card. Typical data sent from the smart card memory partition size for segmentation of the memory, and in applications such as electronic commerce and other financial application, the data may also include a decryption key for security purposes (*storage in response to receiving a secured instruction, the identification information, and said common area is configured to transition to a card area in response to the memory manager means receiving the secured instruction*) (col. 3 line 40- col. 4 line 7).

Herzog von Wuerttemberg et al. clearly show and disclose a chip card for use in a virtual purchasing system comprises a logic/memory. The chip comprises a user data memory 6, and multiple container data memories 8, one such memory location 8 being provided for each container partner (service provider) of the customer (*plurality of individually allotted areas are configured to store information related to predetermined entities including service provider provided information*) (abstract, paragraph 35). After the user has inserted his chip card in the chip card reader, the computer loads data from the user data memory 6 and the container data memory locations 8 on the chip card into the card data area 32 of the terminal. The linking logic checks whether the features defined by the container partner tally with the user data, wherein these features may including not only personal data of the customer such as age, sex, hobbies, etc. but also transaction data from previous purchasing actions of the customer in the

system as held in the user data memory **6** (*said common area is configured to store information for applications utilizing the contactless IC chip*) (paragraph 40).

Howard et al. clearly show and disclose that a portable device (*portable information terminal*) can be utilized to automatically initiate the ordering of items via the Internet. The server **200** (*settlement management apparatus*) can be programmed into a mode of operation such that when a barcode is scanned by the portable device **10**, the server automatically forwards data representing the item scanned to the predefined website and places an order for the item to be purchased. By utilizing the control system of the present invention, it is possible to preprogram the server such that upon entry of any bar code data representing a product, the server automatically places an order with a predetermined seller over the Internet to purchase the product represented by the bar code (*management means for managing registration information of a plurality of merchandise each of which has been registered via a merchandise registration procedure with said settlement management apparatus and each of which has a corresponding barcode generated by said management means, said barcode is associated with an address of an ordering site which has registered said merchandise with said management means*) (paragraphs 89, 94). Memory C **303** (in the server) stores any other additional information or data that may be required for performing the task contained in the activity guides. For example, memory C stores payment information, such as credit card numbers. This information, is retrieved by the CPU **204, 232** as needed, when processing the programs set forth in the activity guides

(*storing identification information including an associated registered service*) (paragraph 56).

Matsumoto et al., Suzuki, Hymel, Herzog von Wuerttemberg et al. and Howard et al., however, lack the claimed limitation “wirelessly obtaining identification information from a contactless IC chip provided in a credit card and including a wireless communication device, the credit card having a credit card number; judging whether the obtained wirelessly input identification information obtained from the contactless IC chip assigned to a user of a portable information terminal and used for predetermined settlement is valid for using credit services which the user uses the identification information not including the credit card number,” therefore these limitations, in conjunction with other limitations recited in claims 6 and 7, are novel and unobvious in view of the combination of Matsumoto et al., Suzuki, Hymel, Herzog von Wuerttemberg et al. and Howard et al.

Consider **claim 8**, the most relevant prior art of record, Matsumoto et al. (US 2002/0066042 A1), Suzuki (US 6,612,488 B2) and Hymel (U.S. 6,216,015 B1), in view of Herzog von Wuerttemberg et al. (US 2002/0010650 A1), and in further view of Howard et al. (US 2003/0212465 A1), fails to specifically disclose wirelessly inputting identification information from the IC chip of a credit card, wherein the information does not include the credit card number.

Matsumoto et al. clearly show and disclose a card settlement method using a mobile information terminal (*portable information terminal*) provided with an IC card read/write function and a short distance wireless communication function and a

settlement terminal on a business establishment side provided with a short distance wireless communication function, comprising a step of having a customer using a business establishment wirelessly connect the mobile information terminal with a settlement terminal on the business establishment side, a step of having the customer load his or her IC card in the mobile information terminal and send the information stored in this IC card and personal identification information input from the customer and proving legitimacy of the customer to the settlement terminal, a step of having the customer wirelessly inputting information containing at least a card number stored in the IC card and transaction information input by the customer to the settlement terminal on the business establishment side after the IC card and the customer are authenticated, a step of having the settlement terminal decide a validity of the current transaction (*comprises a wireless reader for configured to read identification information from a contactless IC chip, provided in a credit card issued from a issuer providing credit services, through wireless communication, said identification information is assigned to a user of said portable terminal and used for predetermined settlement of the credit services which the user uses; and transmitting means for transmitting the identification information read by said reader to a settlement management apparatus, which manages settlement to be performed according to the identification information*) (fig. 3, paragraph 14).

Suzuki clearly shows and discloses a system and terminals for credit card and debit card transactions, (col. 3 lines 26-27). A card transaction terminal, in a credit/debit card member store, stores information for recognizing a credit card user in a database

capable of being accessed by a host computer to which said card transaction terminal is connectable, (col. 3 lines 32-35); includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, (col. 5 lines 7-14), wherein the second communication component allows the card transaction terminal to control the portable terminal device storing information. When cellular phone is used only as an input device for user validation, without credit card information stored in the cellular phone, the card information can be transferred to transaction terminal by reading the credit card with the card reader in the card transaction terminal at the member store. Next, transaction terminal transfers the card number information and purchase amount information to the transaction authorization computer, and requests credit administration. When credit administration is successful, transaction processor reports the successful credit administration, and, at the same, time issues a transaction authorization number, which is a credit administration result recognition number also used in payment processing on the bill. The credit administration results and transaction authorization number are transmitted to main controller of transaction terminal. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored (*storage means for storing the identification information including a card ID corresponding to the IC chip based on an*

instruction issued by said settlement management apparatus if it is confirmed that the identification information is valid, said storage means including a memory manager means for storing the card ID in a common area of memory, wherein said common area is configured to store information other than service provider provided information) (col. 9 line 24- col. 10 line 64).

Hymel clearly show and disclose a wireless subscriber unit **30** includes a memory manager **46** capable of communicating with a plurality of smart cards (abstract). To perform the necessary functions of the wireless subscriber unit, the message processor **36** is coupled to a memory **38** including a random access memory (RAM), a read-only memory (ROM), and an electrically erasable programmable read-only memory (EEPROM). In a preferred embodiment, the memory **38** is partitioned into a plurality of memory segments **48**, each memory segment having an individual location in memory and an individual size (*memory means partitioned into a common area and a plurality of individually allotted areas*) (col. 2 line64- col. 3 line5). The wireless subscriber unit includes an interface **42** for operatively connecting a smart card **44** to the wireless subscriber unit. The interface may, for example, comprise a structure for physically engaging external contacts on the smart card so that the smart card is directly connected to the wireless subscriber unit. It will be appreciated by one skilled in the art that the interface may also be a wireless connection such as an infrared or radio frequency interface (*wirelessly input identification information obtained from a contactless IC chip*) (col. 3 lines 24-33). Memory manager is programmed to connect the memory and a data stored on the smart card. Typical data sent from the smart card

memory partition size for segmentation of the memory, and in applications such as electronic commerce and other financial application, the data may also include a decryption key for security purposes (*storage means for storing the identification information including a card ID based on a secured instruction, and said common area is configured to transition to a card area in response to the memory manager means receiving the secured instruction*) (col. 3 line 40- col. 4 line 7).

Herzog von Wuerttemberg et al. clearly show and disclose a chip card for use in a virtual purchasing system comprises a logic/memory. The chip comprises a user data memory 6, and multiple container data memories 8, one such memory location 8 being provided for each container partner (service provider) of the customer (*plurality of individually allotted areas are configured to store information related to predetermined entities including service provider provided information*) (abstract, paragraph 35). After the user has inserted his chip card in the chip card reader, the computer loads data from the user data memory 6 and the container data memory locations 8 on the chip card into the card data area 32 of the terminal. The linking logic checks whether the features defined by the container partner tally with the user data, wherein these features may including not only personal data of the customer such as age, sex, hobbies, etc. but also transaction data from previous purchasing actions of the customer in the system as held in the user data memory 6 (said common area is configured to store information for applications utilizing the contactless IC chip) (paragraph 40).

Howard et al. clearly show and disclose that a portable device (*portable information terminal*) can be utilized to automatically initiate the ordering of items via the

Internet. The server **200** (*settlement management apparatus*) can be programmed into a mode of operation such that when a barcode is scanned by the portable device **10**, the server automatically forwards data representing the item scanned to the predefined website and places an order for the item to be purchased (*barcode reading means for reading said barcode associated with said address of an ordering site which has registered said merchandise with said management means*) (paragraphs 89, 94). Memory C **303** (in the server) stores any other additional information or data that may be required for performing the task contained in the activity guides. For example, memory C stores payment information, such as credit card numbers. This information, is retrieved by the CPU **204, 232** as needed, when processing the programs set forth in the activity guides (*storing identification information including an associated registered service*) (paragraph 56).

Matsumoto et al., Suzuki, Hymel, Herzog von Wuertemberg et al. and Howard et al., however, lack the claimed limitation "a wireless reader configured to read identification information from a contactless IC chip, provided in a credit card having a credit card number and issued from an issuer providing credit services, through wireless communication, said identification information not including the credit card number and assigned to a user of said portable terminal and used for predetermined settlement of the credit services which the user uses; transmitting means for transmitting the identification information read from a contactless IC chip provided in the portable information terminal directly to a settlement management apparatus, which manages settlement to be performed according to the identification information," therefore these

limitations, in conjunction with other limitations recited in claim 8, are novel and unobvious in view of the combination of Matsumoto et al., Suzuki, Hymel, Herzog von Wuerttemberg et al. and Howard et al.

Consider **claims 10 and 11**, the most relevant prior art of record, Matsumoto et al. (US 2002/0066042 A1), Suzuki (US 6,612,488 B2) and Hymel (U.S. 6,216,015 B1), in view of Herzog von Wuerttemberg et al. (US 2002/0010650 A1), and in further view of Howard et al. (US 2003/0212465 A1), fails to specifically disclose wirelessly inputting identification information from the IC chip of a credit card, wherein the information does not include the credit card number.

Matsumoto et al. clearly show and disclose a card settlement method using a mobile information terminal (*information processing method (computer-readable carrier including computer program instructions that cause a computer to implement a method of settlement management)*) provided with an IC card read/write function and a short distance wireless communication function and a settlement terminal on a business establishment side provided with a short distance wireless communication function, comprising a step of having a customer using a business establishment wirelessly connect the mobile information terminal with a settlement terminal on the business establishment side, a step of having the customer load his or her IC card in the mobile information terminal and send the information stored in this IC card and personal identification information input from the customer and proving legitimacy of the customer to the settlement terminal, a step of having the customer wirelessly inputting information containing at least a card number stored in the IC card and transaction information input

by the customer to the settlement terminal on the business establishment side after the IC card and the customer are authenticated, a step of having the settlement terminal decide a validity of the current transaction (*reading identification information obtained from a contactless IC chip, which is assigned to a user of a portable terminal and used for predetermined settlement with a settlement management apparatus, said contactless IC chip, through wireless communication; and transmitting the identification information read in said reading step to a settlement management apparatus, which manages settlement to be performed according to the identification information*) (fig. 3, paragraph 14).

Suzuki clearly shows and discloses a system and terminals for credit card and debit card transactions, (col. 3 lines 26-27). A card transaction terminal, in a credit/debit card member store, stores information for recognizing a credit card user in a database capable of being accessed by a host computer to which said card transaction terminal is connectable, (col. 3 lines 32-35); includes a main controller connected with a card reader and a second communication component, connected with said main controller, for establishing a wireless connection with a portable terminal device in which the cardholder's identity information is stored, (col. 5 lines 7-14), wherein the second communication component allows the card transaction terminal to control the portable terminal device storing information. When cellular phone is used only as an input device for user validation, without credit card information stored in the cellular phone, the card information can be transferred to transaction terminal by reading the credit card with the card reader in the card transaction terminal at the member store. Next, transaction

terminal transfers the card number information and purchase amount information to the transaction authorization computer, and requests credit administration. When credit administration is successful, transaction processor reports the successful credit administration, and, at the same, time issues a transaction authorization number, which is a credit administration result recognition number also used in payment processing on the bill. The credit administration results and transaction authorization number are transmitted to main controller of transaction terminal. Afterward, when the user must decide whether to store this transaction information and chooses to do so, transaction information pertaining to the card, such as the credit card member store name, amount paid by card, settlement number, and settlement completion number can also be stored (*transmitting the identification information read in said reading step to a settlement management apparatus, which manages settlement to be performed according to the identification information, and storing the identification information including a card ID corresponding to the IC chip based on an instruction issued by said settlement management apparatus if it is confirmed that the identification information is valid; storing the card ID in a common area of memory, wherein the common area is configured to store information other than service provider provided information*) (col. 9 line 24- col. 10 line 64).

Hymel clearly show and disclose a wireless subscriber unit **30** includes a memory manager **46** capable of communicating with a plurality of smart cards (abstract). To perform the necessary functions of the wireless subscriber unit, the message processor **36** is coupled to a memory **38** including a random access memory

(RAM), a read-only memory (ROM), and an electrically erasable programmable read-only memory (EEPROM). In a preferred embodiment, the memory **38** is partitioned into a plurality of memory segments **48**, each memory segment having an individual location in memory and an individual size (*memory partitioned into a common area and a plurality of individually allotted areas*) (col. 2 line64- col. 3 line5). The wireless subscriber unit includes an interface **42** for operatively connecting a smart card **44** to the wireless subscriber unit. The interface may, for example, comprise a structure for physically engaging external contacts on the smart card so that the smart card is directly connected to the wireless subscriber unit. It will be appreciated by one skilled in the art that the interface may also be a wireless connection such as an infrared or radio frequency interface (*wirelessly input identification information obtained from a contactless IC chip*) (col. 3 lines 24-33). Memory manager is programmed to connect the memory and a data stored on the smart card. Typical data sent from the smart card memory partition size for segmentation of the memory, and in applications such as electronic commerce and other financial application, the data may also include a decryption key for security purposes (*storage means for storing the identification information including a card ID based on a secured instruction, and said common area is configured to transition to a card area in response to the memory manager means receiving the secured instruction*) (col. 3 line 40- col. 4 line 7).

Herzog von Wuertemberg et al. clearly show and disclose a chip card for use in a virtual purchasing system comprises a logic/memory. The chip comprises a user data memory **6**, and multiple container data memories **8**, one such memory location **8** being

provided for each container partner (service provider) of the customer (*plurality of individually allotted areas are configured to store information related to predetermined entities including service provider provided information*) (abstract, paragraph 35). After the user has inserted his chip card in the chip card reader, the computer loads data from the user data memory 6 and the container data memory locations 8 on the chip card into the card data area 32 of the terminal. The linking logic checks whether the features defined by the container partner tally with the user data, wherein these features may including not only personal data of the customer such as age, sex, hobbies, etc. but also transaction data from previous purchasing actions of the customer in the system as held in the user data memory 6 (*said common area is configured to store information for applications utilizing the contactless IC chip*) (paragraph 40).

Howard et al. clearly show and disclose that a portable device (*portable information terminal*) can be utilized to automatically initiate the ordering of items via the Internet. The server 200 (*settlement management apparatus*) can be programmed into a mode of operation such that when a barcode is scanned by the portable device 10, the server automatically forwards data representing the item scanned to the predefined website and places an order for the item to be purchased (*barcode reading means for reading said barcode associated with said address of an ordering site which has registered said merchandise with said management means*) (paragraphs 89, 94). Memory C 303 (in the server) stores any other additional information or data that may be required for performing the task contained in the activity guides. For example, memory C stores payment information, such as credit card numbers. This information,

is retrieved by the CPU **204, 232** as needed, when processing the programs set forth in the activity guides (*storing identification information including an associated registered service*) (paragraph 56).

Matsumoto et al., Suzuki, Hymel, Herzog von Wuerttemberg et al. and Howard et al., however, lack the claimed limitation "said contactless IC chip provided in a credit card having a credit card number and issued from an issuer providing credit services which the user uses, through wireless communication; and transmitting the identification information read in said reading from a contactless chip provided in said portable information terminal directly to a settlement management apparatus, which manages settlement to be performed according to the identification information. the identification information not including the credit card number," therefore these limitations, in conjunction with other limitations recited in claims 10 and 11, are novel and unobvious in view of the combination of Matsumoto et al., Suzuki, Hymel, Herzog von Wuerttemberg et al. and Howard et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAIME M. HOLLIDAY whose telephone number is (571)272-8618. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jaime M Holliday/
Examiner, Art Unit 2617

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617

